

Exhibit 6

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Attorneys for [PROPOSED] Plaintiff-Intervenor
YUHA AVIATAM OF SAN MANUEL NATION,
a federally recognized Indian tribe, also federally
recognized as SAN MANUEL BAND OF MISSION INDIANS

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION – RIVERSIDE

BLUETRITON BRANDS, INC.,

Plaintiff,

v.

UNITED STATES FOREST SERVICE,

RANDY MOORE, in his official capacity
as Chief of the U.S. Forest Service,

CHRISTOPHER FRENCH, in his official
capacity as Deputy Chief for the National
Forest System of the U.S. Forest Service,

Case No.: 2:24-cv-09720-JGB-DTB

**DECLARATION OF KEITH
ALEXANDER IN SUPPORT OF
YUHA AVIATAM OF SAN
MANUEL NATION'S MOTION
TO INTERVENE AND MOTION
FOR PRELIMINARY
INJUNCTION**

Hearing Date: January 13, 2025

Hearing Time: 9:00 AM

Courtroom: 1

Judge: Hon. Jesus G. Bernal

Action Filed: August 6, 2024

1 JENNIFER EBERLEIN, in her official
2 capacity as Regional Forester for the
3 Pacific Southwest Region of the
4 U.S. Forest Service,
5 DANELLE HARRISON, in her official
6 capacity as Forest Supervisor of the San
7 Bernardino National Forest of the
8 U.S. Forest Service,
9 MICHAEL NOBLES, in his official
10 capacity as Front Country District Ranger
11 of the U.S. Forest Service,

12 Defendants.

13 YUHAAVIATAM OF SAN MANUEL
14 NATION, a federally recognized Indian
15 tribe, also federally recognized as SAN
16 MANUEL BAND OF MISSION
17 INDIANS,

18 [PROPOSED] Plaintiff-Intervenor.
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1 I, Keith Alexander, declare as follows:

2 1. I am the Fire Chief for the Yuhaaviatam of San Manuel Nation, a
3 federally recognized tribe also recognized as the San Manuel Band of Mission
4 Indians (the Nation). In my capacity as Fire Chief, I oversee the operation of the
5 San Manuel Fire Department, which provides emergency and non-emergency
6 services both on and off the San Manuel Reservation. The facts set forth herein are
7 based on my personal knowledge, and if called as a witness, I could and would
8 testify competently thereto.

9 2. I have worked in the fire service for 37 years, serving my first 15 years
10 with the California Department of Forestry and Fire Protection (Cal Fire).
11 Thereafter, I joined the Nation to serve in the San Manuel Fire Department. I have
12 worked for the San Manuel Fire Department for the past 23 years, and as its Fire
13 Chief since 2022.

14 3. I am keenly aware of the fire risks on and around the Nation's lands,
15 including at its Arrowhead Springs property (Arrowhead Springs), which abuts the
16 San Bernadino National Forest ("SBNF" or "Forest") on three sides, and which
17 secures water from the Forest's Strawberry Canyon through infrastructure operated
18 by a private company, BlueTriton Brands, Inc. (BlueTriton). I also have knowledge
19 of the Nation's need for the water delivered by BlueTriton, not only for
20 governmental and cultural purposes at Arrowhead Springs, but to combat wildfire
21 on and around the property.

22 4. The Nation collaborates with other fire service agencies (local,
23 regional, state, and federal) to protect people and property from fire and possesses
24 mutual aid agreements with numerous agencies. These agencies rely upon the
25 water delivered to Arrowhead Springs through BlueTriton's infrastructure to
26 combat fire at and around Arrowhead Springs. If the U.S. Forest Service (USFS) is
27 allowed to shut off all water deliveries from BlueTriton to the Nation's Arrowhead
28 Springs property, the Nation and entire surrounding community will be in grave

1 peril. At the risk of stating what should be obvious, water is essential to
2 extinguishing fire, and the lack of water at Arrowhead Springs will leave the San
3 Manuel Fire Department, and other fire service agencies that also depend on that
4 water, without an ability to combat fire at Arrowhead Springs and in surrounding
5 communities.

6 5. The problem of not having sufficient water to combat fire is not
7 theoretical but real, as we are seeing in connection with the ongoing efforts to
8 extinguish the fires in and around Los Angeles. Attached hereto as **Exhibit 22** is a
9 true and correct copy of a news article about the lack of water to combat the Pacific
10 Palisades fire. Due to a lack of water to combat the Eaton Fire in and around
11 Pasadena and Altadena, the San Manuel Fire Department sent a water tender and
12 personnel to help fight that fire. Whatever the actual reason for the lack of water in
13 these areas, the risks associated with having insufficient water to combat fire cannot
14 be overstated, as it hampers firefighters' ability to extinguish fire that threatens not
15 only property, but people's lives.

16 6. I am aware that the USFS has taken the position in its legal papers that
17 there is no real fire risk at and around the Nation's Arrowhead Springs property
18 because there has been no significant fire there for five years. In reality, the fact
19 that there has been no fire for five years at Arrowhead Springs only means the risk
20 of fire is greater, since vegetation has grown during this period, and that vegetation
21 constitutes fuel for wildfire. Given this condition, combined with the lack of any
22 measurable rainfall and current weather conditions, including the Santa Ana winds,
23 the risk of fire on and around Arrowhead Springs is as great as ever.

24 7. Past fires at Arrowhead Springs have historically emanated from the
25 SBNF, which has experienced well over 40 significant fires in the past 20 years.
26 Nearby Waterman Canyon poses particularly high risks given the significant vehicle
27 and foot traffic there (the canyon is the lifeline to the mountain community, and
28 Arrowhead Springs is just north of Old Waterman Canyon Road). Waterman

1 Canyon was notably the source of the Old Fire (2003), which devastated the
2 Arrowhead Springs property, and which ranks within the top 20 most destructive
3 fires in the state's history.

4 8. Fire obviously does not respect jurisdictional boundaries, and just last
5 year the Nation was threatened by a significant fire, the Line Fire, emanating from
6 the SBNF. Last year's Line Fire was east of Arrowhead Springs by a few miles and
7 came perilously close to the Nation. The threat of the Line Fire required the
8 Nation's employees to work from home due to poor air quality, and the Nation had
9 evacuation orders for the Tribal community in place and ready to be issued in the
10 event firefighters were unable to get the fire under control.

11 I declare under penalty of perjury under the laws of the United States that the
12 foregoing is true and correct.

13 Executed this 11th day of January 2025, at San Manuel Reservation.

14
15 
16 KEITH ALEXANDER

EXHIBIT 22

Exhibit 22, P. 006



Palisades fire > Live updates Evacuations, road closures Power outages Dangerous windstorm

CALIFORNIA

Fire hydrants ran dry as Pacific Palisades burned. L.A. city officials blame ‘tremendous demand’



The Palisades fire burns along Pacific Coast Highway in Malibu on Tuesday. (Wally Skalij / Los Angeles Times)

By Matt Hamilton and David Zahniser

Jan. 8, 2025 Updated 10:17 AM PT

As [wildfires raged across Los Angeles](#) on Tuesday, crews battling the [Palisades blaze](#) faced an additional burden: Scores of fire hydrants in Pacific Palisades had little to no water flowing out.

“The hydrants are down,” said one firefighter in internal radio communications.

“Water supply just dropped,” said another.

By 3 a.m. Wednesday, all water storage tanks in the Palisades area “went dry,” diminishing the flow of water from hydrants in higher elevations, said Janisse Quiñones, chief executive and chief engineer of the Los Angeles Department of Water and Power, the city’s utility.

“We had a tremendous demand on our system in the Palisades. We pushed the system to the extreme,” Quiñones said Wednesday morning. “Four times the normal demand was seen for 15 hours straight, which lowered our water pressure.”



CALIFORNIA

Thousands of homes burned in Palisades, Eaton fires; more days of fire weather ahead

15 minutes ago

Exhibit 22, P. 008

The DWP and city leaders faced significant criticism on social media from residents as well as from developer [Rick Caruso](#), who owns Palisades Village mall in the heart of the Westside neighborhood. Caruso, a former DWP commissioner, blasted the city for infrastructure that struggled to meet firefighting demands.

“There’s no water in the fire hydrants,” Caruso said with exasperation. Through Tuesday night, he expressed similar criticism in a series of live interviews with local TV stations. “The firefighters are there [in the neighborhood], and there’s nothing they can do — we’ve got neighborhoods burning, homes burning, and businesses burning. ... It should never happen.”



A firefighter tries to put out a portion of a fire that threatens a nearby building along Sunset Boulevard in Pacific Palisades on Tuesday. (Genaro Molina / Los Angeles Times)

L.A. City Councilmember Traci Park, who represents Pacific Palisades and participated with Quiñones in Wednesday’s news conference, also expressed fury over the DWP’s

water supply issues.

“The chronic under-investment in the city of Los Angeles in our public infrastructure and our public safety partners was evident and on full display over the last 24 hours,” Park said. “I am extremely concerned about this. I’m already working with my team to take a closer look at this, and I think we’ve got more questions than answers at this point.”



CALIFORNIA

Karen Bass left L.A. for Africa as wind, fire warnings increased. She returned to a burning city

Jan. 8, 2025

Quiñones and other DWP officials said that the city was fighting a wildfire in hilly terrain with an urban water system, and that at lower elevations in Pacific Palisades, water pressure remained strong.

Before the fire, all 114 tanks that supply the city water infrastructure were completely filled.

Quiñones said that the hydrants in the Palisades rely on three large water tanks with about 1 million gallons each. The first ran dry at 4:45 p.m. Tuesday; the second at 8:30 p.m.; and the third was dry at 3 a.m. Wednesday.

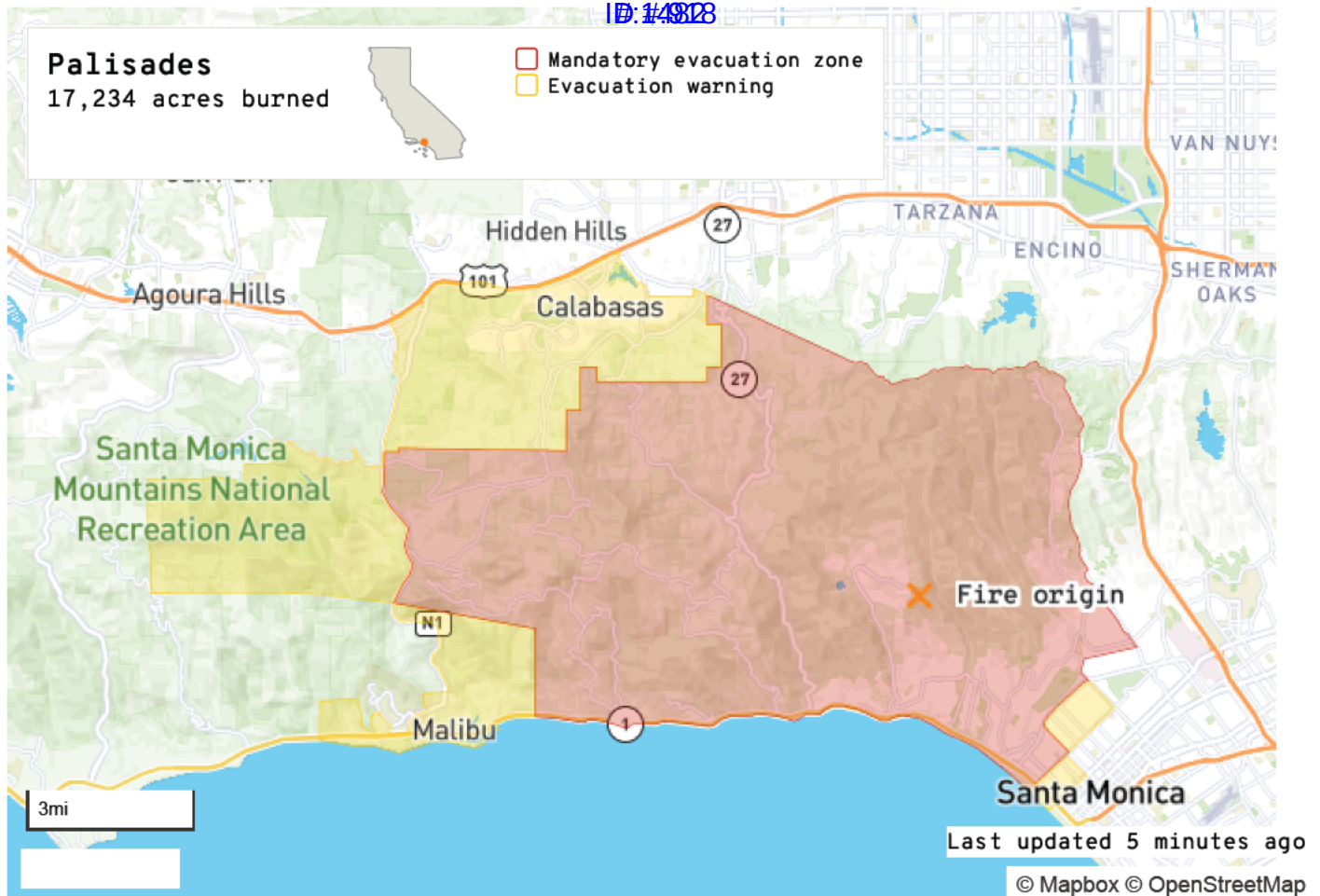
“Those tanks help with the pressure on the fire hydrants in the hills in the Palisades, and because we were pushing so much water in our trunk line, and so much water was being used. ... we were not able to fill the tanks fast enough,” she said. “So the consumption of water was faster than we can provide water in a trunk line.”

Exhibit 22, P. 010



Jan. 7, 2025

5/8



LIVE MAP

California fire map: Track this fire live

It's unclear how widespread the hydrant issues were. In November, [the lack of water from hydrants](#) hurt the effort to combat the Mountain fire in Ventura County, when two water pumps became inactive, slowing the process to deliver hillside water.

Caruso, who also [ran unsuccessfully for mayor in 2022](#), contended that the challenges were avoidable.

"This is a window into a systemic problem of the city — not only of mismanagement, but our infrastructure is old," Caruso said.

Exhibit 22, P. 012

Caruso, who evacuated Tuesday from his home in Brentwood, said his daughter's home was destroyed in the blaze, and his family was waiting to hear if one of his sons had also lost his home.



CALIFORNIA
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Jan. 8, 2025

Caruso said in an interview that several homes around his Palisades Village shopping center were "fully engulfed" in flames, and his shopping center, which opened in 2018, suffered damage. On Wednesday morning, scores of buildings and homes in the Palisades were reduced to ash and rubble.

"We are feeling the very personal effects of this," he said.

Times staff writers Terry Castleman and Ian James contributed to this report.

More to Read

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Universal Studios Hollywood, longtime Malibu restaurants and other L.A.-area business affected by the fires

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Exhibit 22, P. 013



Matt Hamilton

Matt Hamilton is a reporter for the Los Angeles Times. He won the 2019 Pulitzer Prize for investigative reporting with colleagues Harriet Ryan and Paul Pringle and was part of the team of reporters that won a Pulitzer Prize for its coverage of the San Bernardino terrorist attack. A graduate of Boston College and the University of Southern California, he joined The Times in 2013.



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CALIFORNIA

Palisades fire: Evacuations, road closures, shelters, schools, forecast

Jan. 7, 2025

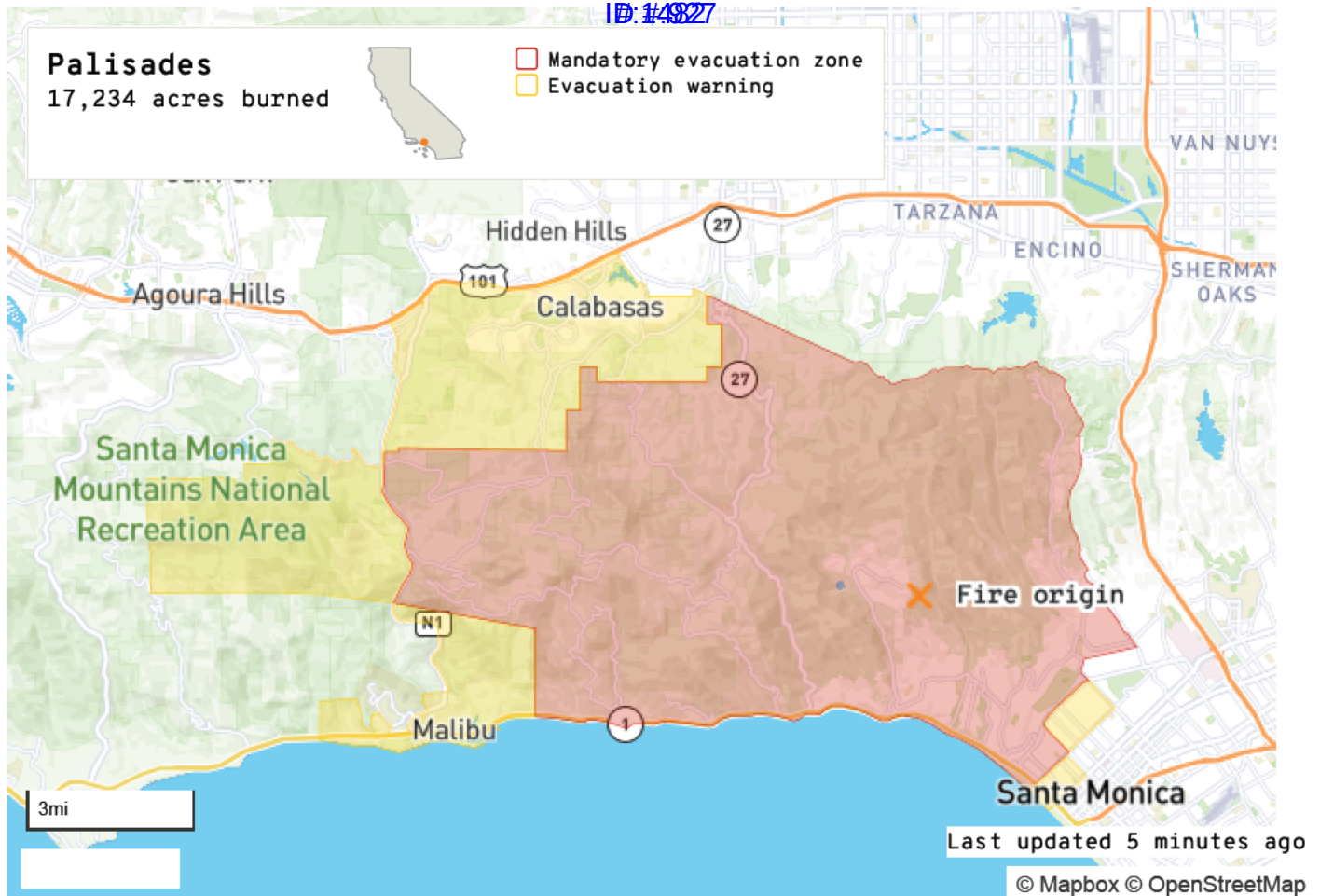
In other words, the demand for water at lower elevations was hampering the ability to refill the tanks located at higher elevations. Because of the ongoing fire, DWP crews also faced difficulty accessing its pump stations, which are used to move water up to the tanks.



A fire crew battles a fire in Pacific Palisades. (Genaro Molina / Los Angeles Times)

The utility on Wednesday was sending 20 tankers with water to support firefighters in the Palisades, and the tankers were having to reload at other distant locations.

“We are constantly moving that water to the fire department to get them as much water as we can,” Quiñones said.



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